

NUTRITION SERVICES DIVISION		
MANAGEMENT BULLETIN		No. 00-102
TO:	All Public and Private Schools Participating in School Nutrition Programs County Superintendents of Schools Diocesan Superintendents of Schools	ISSUE DATE: February 2000
ATTENTION:	Food Service Directors	
FROM:	School Nutrition Programs	
SUBJECT:	Direct Certification, Final Rule	
REFERENCE:	7 CFR Sections 210 and 245; Federal Register, Volume 64, Number 248; Management Bulletin 90-225; School Nutrition Programs Guidance Manual, Section 6500	

This management bulletin disseminates the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), final ruling on direct certification, effective January 27, 2000. Changes between the proposed rule found in Management Bulletin No. 90-225 (December 1990) and this final ruling are outlined below. Please reference the attached Federal Register for detailed information.

- Direct certification is now available to all school food authorities (SFAs) regardless of the SFA's size or computer resources.
- Households may act as a conduit of information between the food stamp, California Work Opportunities and Responsibility to Kids (CalWORKs), or Food Distribution Program on Indian Reservations (FDPIR) and the SFA. The household would not be required to submit any additional information concerning eligibility.
- The requirement for the signature of the food stamp, CalWORKs, or FDPIR official may be fulfilled with a copy of the official's signature if using computerized listings.
- USDA will continue to allow SFAs to determine which identifiers they will use to ensure that benefits are directed to the correct children.
- SFAs implementing direct certification are not required to distribute the application for free or reduced price meals to directly certified households. However, the eligibility notice must be distributed in such a way as to prevent overt identification of children receiving benefits.
- Amendments were made to 7 CFR Section 245.6(c)(1) regarding the written notification requirement. Although SFAs are encouraged to notify all households in writing of the approval of their applications, written notification is required only to households approved under direct certification and to households who are denied benefits.

- The final rule maintains the requirement to notify households of their right to decline benefits. USDA mandates that the SFA must retain documentation for households that decline benefits, but does not stipulate the form of that documentation. If the household notifies the SFA that it is no longer eligible to receive food stamps, CalWORKs or FDPIR benefits, the SFA is required to follow the procedures in 7 CFR Section 245.6a(e), *Adverse Action*, and inform the household that they must submit an application with income information in order to establish continued eligibility. However, the children must continue to receive free benefits during the 10-day advance notice of the pending change and, if applicable, throughout the appeal process.
- The approval of the California Department of Education (CDE) is no longer required for an SFA to implement direct certification. However, the SFA's direct certification procedures must be made a part of its permanent policy statement, which may be amended as necessary. SFAs must continue to submit their direct certification procedures to the CDE as part of their permanent policy statement. Attached is a prototype document entitled "Policy Statement Addendum Direct Certification Procedures," that SFAs may use or you may create your own.
- The current record retention requirement of three years has been maintained. It can now be found in 7 CFR Section 245.6(e). Consistent with other recordkeeping requirements, this information shall be maintained beyond the three-year period for as long as necessary to resolve issues raised if the SFA is audited.

The Federal Register transmitting this information can be found on the Internet at:

WWW.FNS.USDA.gov/cnd/Lunch/Governance/directcertification.pdf

If you have any questions or need further assistance, please contact your School Nutrition Programs Analyst at (916) 323-1580 or (800) 952-5609.

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